

WARRICK COUNTY COUNCIL

RESOLUTION NO. 2021 - 11

**A PRELIMINARY RESOLUTION DECLARING AN ECONOMIC REVITALIZATION
AREA FOR REAL AND PERSONAL PROPERTY TAX PHASE-IN
("Kaiser Aluminum Warrick LLC")**

WHEREAS, Kaiser Aluminum Warrick LLC (the "Applicant") has submitted a Statement of Benefits – Real Estate Improvements and a Statement of Benefits – Personal Property, and Applicant has made application for Economic Revitalization Area designation pursuant to IC 6-1.1-12.1 *et seq.* and has requested Tax Phase-In for real and personal property located in Warrick County, Indiana and more particularly described as:

Part of Tax Parcels 87-16-07-201-003.000-001, 87-16-08-401-002.000-001, and 87-16-09-100-001.000-001, and as more particularly described in the legal description attached hereto as Exhibit A (the "Property").

WHEREAS, the Warrick County Economic Development Advisory Council ("EDAC") on the 19th day of August, 2021 received Applicant's Statement of Benefits for Real Estate Improvements and Statement of Benefits for Personal Property and also received Applicant's Application for Economic Revitalization Area and Phase-In of Property Tax, and EDAC made a unanimous recommendation for approval by the County Council;

WHEREAS, Kaiser Aluminum Warrick LLC is leasing the Property from Warrick Real Estate LLC (Kaiser Aluminum Warrick LLC has the obligation pursuant to the Ground Lease Agreement to pay all of Kaiser Aluminum Warrick LLC's share of real estate taxes on the Property and improvements) and intends to improve the Property by constructing a new building to house a new coating line and associated infrastructure, which includes a new steel building expected to be approximately 1100 feet in length, 100 feet in width, and 50 feet tall, with an estimated construction cost of \$30,000,000 ("New Building"). The construction of the New Building is expected to commence in late 2021 or in 2022 and be completed in 2023 or 2024;

WHEREAS, Kaiser Aluminum Warrick LLC also intends to improve the Property by constructing a new building to house new filter presses, feed tanks, pumps and controls for expanded wastewater treatment capacity, which includes a new steel building expected to be approximately 70 feet in length, 40 feet in width, and 30 feet tall, with an estimated construction cost of \$5,000,000 ("New Building #2"). The construction of New Building #2 is expected to commence in late 2021 or in 2022 and be completed in 2023 or 2024;

WHEREAS, Kaiser Aluminum Warrick LLC also intends to improve the Property by expanding an existing steel building (Building 849) to the east for additional coating storage. This extension will be approximately 60 feet in length, 25 feet in width, and 20 feet tall, with an estimated construction cost of \$600,000 ("New Building #3"). The construction of New Building #3 is expected to commence in late 2021 or in 2022 and be completed in 2023 or 2024;

WHEREAS, Kaiser Aluminum Warrick LLC will be the owner of the New Building, New Building #2, and New Building #3 constructed on the Property, which constitutes “property,” as defined under Indiana Code Section 6-1.1-12.1-1(4);

WHEREAS, Kaiser Aluminum Warrick LLC further intends to purchase and install new manufacturing equipment between 2021 and 2024 to be housed in the New Building, New Building #2 and New Building #3, which new equipment will include the coating line equipment and wastewater treatment equipment described in Exhibit A to Applicant’s Application for Economic Revitalization Area and Phase-In of Property Tax, with an estimated cost of \$82,660,000;

WHEREAS, the Property meets the criteria for designation as an Economic Revitalization Area pursuant to IC 6-1.1-12.1 et seq.

NOW, THEREFORE, BE IT RESOLVED by the Warrick County Council as follows:

Section 1. The Warrick County Council has reviewed the Statement of Benefits for Real Estate Improvements and Personal Property, the recommendation of EDAC, and additional information submitted pursuant to IC 6-1.1-12.1 et seq., and makes the following findings:

- a. The estimate of the value for both the redevelopment and/or rehabilitation of the Property and construction of structures is reasonable for projects of that type; and
- b. The estimate of the number of individuals who will be employed by this project or whose employment will be retained can be reasonably expected to result from the proposed redevelopment and/or rehabilitation and construction of structures; and
- c. The estimate of the annual salaries of those individuals who will be employed or whose employment will be retained can reasonably be expected to result from the proposed project; and
- d. Any other benefits about which information was requested are benefits that can be reasonably expected to result from the proposed project; and
- e. The totality of benefits likely to accrue from this project is sufficient to justify a tax deduction; and
- f. The estimate of the cost of the new manufacturing equipment, new research and development equipment, new logistical distribution equipment, and/or new information technology equipment is reasonable for equipment of that type; and
- g. With respect to new manufacturing equipment not used to dispose of solid waste or hazardous waste by converting the solid waste or hazardous waste into energy or other useful products, and new research and development equipment, new logistical distribution equipment, and/or new information technology equipment, the estimate of the number of individuals who will be employed or whose

employment will be retained can be reasonably expected to result from the installation of the new manufacturing equipment, new research and development equipment, new logistical distribution equipment, and/or new information technology equipment; and

- h. The estimate of the annual salaries of the individuals who will be employed or whose employment will be retained can be reasonably expected to result from the proposed installation of new manufacturing equipment, new research and development equipment, new logistical distribution equipment, and/or new information technology equipment; and
- i. With respect to new manufacturing equipment used to dispose of solid waste or hazardous waste by converting the solid waste or hazardous waste into energy or other useful products, the estimate of the amount of solid waste or hazardous waste that will be converted into energy or other useful products can be reasonably expected to result from the installation of the new manufacturing equipment; and
- j. The other benefits about which information was requested are benefits that can be reasonably expected to result from the proposed installation of new manufacturing equipment, new research and development equipment, new logistical distribution equipment, and/or new information technology equipment; and
- k. The totality of benefits to accrue from this project is sufficient to justify the deduction.

Section 2. Based on these findings, the Warrick County Council has determined that the purposes of IC 6-1.1-12.1 et seq. are served by allowing the deductions for both real and personal property, and the Property described above is hereby declared to be an Economic Revitalization Area.

Section 3. The designation of the Economic Revitalization Area shall apply to property tax deductions for both real and personal property taxes.

Section 4. The designation of this Economic Revitalization Area for the Property shall be in effect up to and including September 1, 2026.


Section 5. Deductions for redevelopment and/or rehabilitation of both real and personal property which takes place within this Economic Revitalization Area shall be allowed for a period of ten (10) years beginning with increases in assessed value resulting from the improvements.

Section 6. The Warrick County Auditor shall cause to be published notice of the adoption and substance of this Resolution in accordance with IC 5-3-1. Such notice complies with IC 6-1.1-12.1-2.5(c).

Section 7. This Resolution shall be in full force and effect from and after its passage and action had confirming, modifying and/or rescinding the same.

PASSED this 2nd day of September, 2021.

Warrick County Council



Greg Richmond, President

David Hachmeister



Richard Reid



Ron Bacon



Brad Overton, Vice President



Ted Metzger



Chris Whetstine

ATTEST:



Warrick County Auditor

EXHIBIT A
LEGAL DESCRIPTION

Part of the Northeast Quarter of Fractional Section 7, part of Section 8, part of the West Half of Section 9, part of the Northwest Quarter of Fractional Section 16, and part of the Northeast Quarter of Fractional Section 17, all in Township 7 South, Range 8 West, Anderson Township, Warrick County, Indiana, more particularly described as follows:

Commencing at a 3/4 inch iron pin found at the northwest corner of the Northeast Quarter of said Fractional Section 7; thence South 88 degrees 03 minutes 06 seconds East along the north line of the Northeast Quarter of said Fractional Section 7 a distance of 2658.81 feet to a 5/8 inch iron pin with cap stamped "Donald Gries LS29900003" found at the northwest corner of the Northwest Quarter of said Section 8; thence South 00 degrees 54 minutes 16 seconds West along the west line of said Northwest Quarter 136.51 feet to a 5/8 inch iron pin with cap stamped "K.J. HENNESSY LS20200026 found along the south right of way line of State Road 66 and being the Point of Beginning for the following described tract; thence along said right of way line the following bearings and distances: South 88 degrees 57 minutes 07 seconds East 111.40 feet; North 83 degrees 21 minutes 07 seconds East 122.49 feet; South 88 degrees 57 minutes 07 seconds East 2995.01 feet; with a curve turning to the right with an arc length of 996.91 feet, with a radius of 5573.08 feet, with a chord bearing of South 83 degrees 49 minutes 39 seconds East, with a chord length of 995.58 feet; South 50 degrees 52 minutes 14 seconds East 143.68 feet; South 76 degrees 58 minutes 05 seconds East 79.42 feet; North 80 degrees 30 minutes 56 seconds East 139.36 feet; with a curve turning to the right with an arc length of 492.84 feet, with a radius of 5563.24 feet, with a chord bearing of South 72 degrees 41 minutes 42 seconds East, with a chord length of 492.68 feet; South 34 degrees 22 minutes 55 seconds East 95.44 feet; South 05 degrees 36 minutes 24 seconds West 49.99 feet; with a curve turning to the left with an arc length of 184.42 feet, with a radius of 915.86 feet, with a chord bearing of South 00 degrees 09 minutes 40 seconds East, with a chord length of 184.11 feet; South 05 degrees 55 minutes 47 seconds East 71.56 feet; North 84 degrees 05 minutes 52 seconds East 111.72 feet; thence leaving said right of way line South 03 degrees 40 minutes 15 seconds East 38.53 feet; thence South 07 degrees 22 minutes 32 seconds East 129.48 feet; thence South 14 degrees 10 minutes 25 seconds East 251.66 feet; thence South 04 degrees 32 minutes 48 seconds East 230.57 feet; thence South 62 degrees 35 minutes 45 seconds East 55.94 feet; thence South 02 degrees 08 minutes 08 seconds East 28.40 feet; thence South 68 degrees 38 minutes 57 seconds West 29.35 feet; thence South 01 degrees 14 minutes 49 seconds East 195.35 feet; thence South 24 degrees 08 minutes 53 seconds East 168.86 feet; thence South 16 degrees 05 minutes 37 seconds East 110.78 feet; thence South 06 degrees 01 minutes 05 seconds East 100.85 feet; thence South 21 degrees 23 minutes 47 seconds East 490.13 feet; thence South 21 degrees 52 minutes 03 seconds East 144.75 feet; thence South 14 degrees 54 minutes 32 seconds East 30.17 feet; thence South 24 degrees 16 minutes 19 seconds West 39.82 feet; thence South 62 degrees 18 minutes 16 seconds West 52.52 feet; thence North 79 degrees 32 minutes 48 seconds West 48.50 feet; thence North 65 degrees 26 minutes 44 seconds West 65.29 feet; thence North 76 degrees 33

minutes 35 seconds West 57.99 feet; thence North 85 degrees 57 minutes 31 seconds West 114.32 feet; thence South 62 degrees 11 minutes 27 seconds West 43.82 feet; thence South 32 degrees 36 minutes 33 seconds West 47.83 feet; thence South 01 degrees 38 minutes 30 seconds West 180.48 feet; thence South 01 degrees 41 minutes 47 seconds East 131.24 feet; thence South 08 degrees 51 minutes 25 seconds East 75.29 feet; thence South 01 degrees 30 minutes 48 seconds West 334.32 feet; thence South 44 degrees 10 minutes 00 seconds East 605.70 feet; thence North 74 degrees 32 minutes 17 seconds East 282.10 feet; thence South 82 degrees 01 minutes 34 seconds East 399.29 feet; thence South 59 degrees 44 minutes 10 seconds East 194.86 feet; thence South 83 degrees 51 minutes 56 seconds East 164.40 feet; thence North 77 degrees 16 minutes 50 seconds East 161.14 feet; thence North 62 degrees 39 minutes 17 seconds East 92.12 feet; thence North 48 degrees 44 minutes 40 seconds East 142.57 feet; thence North 24 degrees 31 minutes 51 seconds East 333.53 feet to the west line of a railroad right of way parcel currently owned by Freedom Energy, LLC, per Document 2011R-004949 ; thence South 21 degrees 02 minutes 59 seconds West along said west line 1430.20 feet; thence leaving said west line of said railroad right of way parcel South 37 degrees 03 minutes 17 seconds West 91.16 feet; thence South 26 degrees 44 minutes 13 seconds West 135.03 feet; thence South 28 degrees 36 minutes 27 seconds West 54.21 feet; thence South 31 degrees 12 minutes 47 seconds West 101.89 feet; thence South 40 degrees 21 minutes 36 seconds West 88.08 feet; thence South 51 degrees 09 minutes 45 seconds West 78.78 feet; thence North 88 degrees 42 minutes 19 seconds West 152.67 feet; thence South 86 degrees 39 minutes 04 seconds West 130.00 feet; thence North 88 degrees 58 minutes 54 seconds West 106.54 feet; thence North 02 degrees 33 minutes 29 seconds East 75.24 feet; thence North 74 degrees 28 minutes 01 seconds West 529.41 feet; thence South 15 degrees 20 minutes 32 seconds West 304.39 feet; thence North 73 degrees 53 minutes 19 seconds West 39.83 feet; thence South 68 degrees 21 minutes 01 seconds West 66.87 feet; thence North 85 degrees 34 minutes 08 seconds West 40.03 feet; thence North 75 degrees 46 minutes 49 seconds West 124.55 feet; thence North 49 degrees 38 minutes 09 seconds West 113.99 feet; thence North 11 degrees 14 minutes 19 seconds East 27.52 feet; thence North 03 degrees 42 minutes 46 seconds West 17.91 feet; thence North 23 degrees 45 minutes 31 seconds West 67.40 feet; thence North 71 degrees 21 minutes 41 seconds West 147.60 feet; thence North 73 degrees 51 minutes 02 seconds West 273.13 feet; thence North 65 degrees 33 minutes 27 seconds West 15.29 feet; thence North 39 degrees 59 minutes 27 seconds West 15.11 feet; thence North 14 degrees 07 minutes 43 seconds East 91.91 feet; thence North 74 degrees 26 minutes 05 seconds West 176.43 feet; thence North 68 degrees 44 minutes 25 seconds West 52.41 feet; thence North 74 degrees 34 minutes 50 seconds West 184.66 feet; thence North 14 degrees 52 minutes 35 seconds East 55.37 feet; thence North 74 degrees 02 minutes 48 seconds West 72.84 feet; thence North 15 degrees 42 minutes 30 seconds East 161.80 feet; thence North 74 degrees 32 minutes 10 seconds West 666.49 feet; thence North 45 degrees 35 minutes 56 seconds West 41.55 feet; thence North 78 degrees 08 minutes 52 seconds West 64.74 feet; thence North 75 degrees 05 minutes 38 seconds West 161.97 feet; thence North 14 degrees 54 minutes 22 seconds East 8.36 feet; thence North 75 degrees 05 minutes 38 seconds West 43.46 feet; thence South 15 degrees 04 minutes 12 seconds West 24.48 feet; thence North 74 degrees 14 minutes 49 seconds West 121.90 feet; thence North 14 degrees 59 minutes 16 seconds East 49.55 feet; thence North 74 degrees 34 minutes 29 seconds West 174.03 feet; thence South 15

degrees 44 minutes 36 seconds West 51.08 feet; thence North 74 degrees 11 minutes 50 seconds West 148.06 feet; thence North 14 degrees 25 minutes 08 seconds East 48.99 feet; thence North 74 degrees 37 minutes 16 seconds West 71.34 feet; thence South 13 degrees 44 minutes 41 seconds West 47.91 feet; thence North 74 degrees 14 minutes 22 seconds West 40.83 feet; thence North 13 degrees 49 minutes 53 seconds East 49.09 feet; thence North 74 degrees 36 minutes 34 seconds West 69.56 feet; thence South 15 degrees 17 minutes 29 seconds West 106.00 feet; thence South 18 degrees 05 minutes 32 seconds West 140.72 feet; thence North 76 degrees 00 minutes 39 seconds West 23.32 feet; thence South 15 degrees 14 minutes 40 seconds West 154.93 feet; thence North 75 degrees 03 minutes 14 seconds West 80.55 feet; thence South 16 degrees 52 minutes 57 seconds West 80.71 feet; thence North 72 degrees 57 minutes 39 seconds West 60.82 feet; thence South 51 degrees 56 minutes 07 seconds West 110.98 feet; thence North 75 degrees 07 minutes 10 seconds West 192.78 feet; thence North 14 degrees 13 minutes 49 seconds East 142.80 feet; thence North 68 degrees 36 minutes 24 seconds West 89.67 feet; thence North 15 degrees 30 minutes 10 seconds East 247.21 feet; thence North 14 degrees 50 minutes 09 seconds East 166.35 feet; thence North 74 degrees 45 minutes 31 seconds West 160.93 feet; thence North 15 degrees 03 minutes 25 seconds East 217.50 feet; thence North 63 degrees 03 minutes 59 seconds West 306.13 feet; thence North 54 degrees 49 minutes 37 seconds West 152.32 feet; thence South 38 degrees 20 minutes 43 seconds West 16.94 feet; thence South 13 degrees 59 minutes 54 seconds East 99.68 feet; thence South 81 degrees 47 minutes 42 seconds West 24.85 feet; thence South 13 degrees 46 minutes 49 seconds East 124.46 feet; thence North 89 degrees 35 minutes 21 seconds West 308.55 feet; thence North 04 degrees 26 minutes 39 seconds West 34.97 feet; thence South 89 degrees 28 minutes 26 seconds East 44.78 feet; thence North 01 degrees 53 minutes 43 seconds East 149.34 feet; thence North 89 degrees 46 minutes 52 seconds East 157.50 feet; thence North 53 degrees 44 minutes 02 seconds East 31.96 feet; thence North 18 degrees 53 minutes 03 seconds East 27.58 feet; thence North 21 degrees 12 minutes 42 seconds West 88.00 feet; thence North 28 degrees 47 minutes 07 seconds West 222.03 feet; thence North 34 degrees 33 minutes 59 seconds West 374.83 feet; thence North 30 degrees 48 minutes 48 seconds West 240.51 feet; thence North 17 degrees 49 minutes 34 seconds West 116.35 feet; thence North 05 degrees 22 minutes 24 seconds West 131.92 feet; thence North 19 degrees 25 minutes 43 seconds West 63.78 feet; thence North 30 degrees 59 minutes 11 seconds East 50.27 feet; thence North 56 degrees 08 minutes 12 seconds West 195.25 feet; thence North 47 degrees 36 minutes 10 seconds West 511.05 feet; thence North 48 degrees 28 minutes 33 seconds West 632.79 feet; thence North 09 degrees 21 minutes 37 seconds West 380.05 feet; thence North 37 degrees 22 minutes 43 seconds West 267.36 feet; thence South 60 degrees 37 minutes 01 seconds West 111.25 feet; thence South 01 degrees 57 minutes 30 seconds West 126.74 feet; thence South 39 degrees 28 minutes 17 seconds East 84.49 feet; thence South 03 degrees 24 minutes 51 seconds West 148.54 feet; thence South 42 degrees 25 minutes 37 seconds West 23.89 feet; thence North 64 degrees 27 minutes 21 seconds West 280.95 feet; thence North 67 degrees 06 minutes 00 seconds West 263.51 feet; thence North 69 degrees 31 minutes 31 seconds West 599.95 feet; thence North 51 degrees 14 minutes 53 seconds West 68.64 feet; thence North 02 degrees 43 minutes 48 seconds West 65.06 feet; thence North 14 degrees 06 minutes 04 seconds East 242.15 feet; thence North 61 degrees 54 minutes 48 seconds West 100.88 feet; thence South 71 degrees 10 minutes 34 seconds West

109.60 feet; thence South 34 degrees 37 minutes 19 seconds West 155.87 feet; thence South 07 degrees 47 minutes 10 seconds West 133.72 feet; thence North 71 degrees 52 minutes 58 seconds West 187.45 feet; thence North 00 degrees 15 minutes 55 seconds East 347.55 feet; thence North 16 degrees 35 minutes 17 seconds West 187.63 feet to a point on the south right of way line of State Road 66; thence along said right of way line the following bearings and distances: North 75 degrees 35 minutes 15 seconds East 121.12 feet; with a curve turning to the right with an arc length of 1505.61 feet, with a radius of 5579.64 feet, with a chord bearing of North 83 degrees 19 minutes 04 seconds East, with a chord length of 1501.05 feet; South 79 degrees 55 minutes 24 seconds East 146.35 feet; South 88 degrees 57 minutes 07 seconds East 69.04 feet to the Point of Beginning, containing 537.60 acres more or less.

Subject to any and all easements, agreements, and restrictions of record.